

**AMENDMENT TRANSMITTAL LETTER****After Final Rejection**Application No.
10/776,471Filing Date
February 11, 2004Examiner
C. L. MillerGroup Art Unit
3738Applicant(s): Rafail Zubok, Antonio Valdevit, Michael W. Dudasik, and
Joseph P. ErricoDocket No.
SPINE 3.0-455 CONT VI

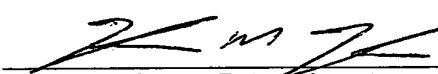
Invention: CERVICAL DISC REPLACEMENT

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

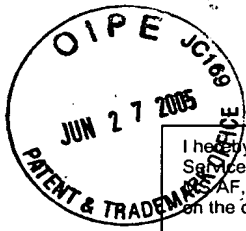
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	13	- 36 =		x	
Independent Claims	3	- 6 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
Kevin M. Kocun, Patent Agent
Attorney Reg. No. 54,230Dated: June 23, 2005LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6383

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 23, 2005

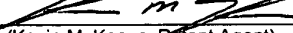
Signature:  (Kevin M. Kocun, Patent Agent)



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(Kevin M. Kocun, Patent Agent)

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-455 CONT VI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/776,471

Filed: February 11, 2004

For: CERVICAL DISC REPLACEMENT

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::: Group Art Unit: 3738
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::: Examiner: C. L. Miller
:
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AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated February 3, 2005, finally rejecting claims 1, 3, 5-13, 15 and 16, please amend the above-identified U.S. patent application as follows: